

IV. REMARKS

1. The specification is corrected. Claims 14, 15 and 17 are amended.

2. Applicant appreciates the Examiner's indication of the allowability of claims 9 and 13.

3. Claim 14 is not anticipated by Rosier (U.S. Patent Publication No. 2002/0080792) under 35 U.S.C. §102(e).

Claim 14 is amended to recite that the mobile station comprises means for combining acknowledgements from at least two control messages. The control messages are communicated by the communication network in at least two downlink temporary block flows associated to the mobile station. These features are not disclosed or suggested by Rosier.

Rosier relates to a transmission method that associates at least one timer with bitmap blocks and determining a time out period beyond which a specific operation is to take place if no acknowledgement is received. (paragraph 0037). A bitmap block is associated with a predetermined number of data packets. There is no disclosure or suggestion in Rosier of transmitting control messages in at least two downlink temporary block flows. Thus, claim 14 is not anticipated.

4. Claims 15 and 17 are not anticipated by Ayanoglu under 35 U.S.C. §102(b).

Ayanoglu does not disclose or suggest transmitting control messages in at least two downlink temporary block flows associated to the mobile station as recited in claims 15 and 17.

Ayanoglu transmits acknowledgement and requests for retransmission messages only upon request. (Col. 1, lines 50-54). Acknowledgements for multiple data packets can be combined into a single acknowledgement code to conserve power in the devices. This is not the same as what is claimed by Applicant. Thus, claims 15 and 17 should be allowable.

5. Claims 1, 3, 4, 7, 8, 10 and 11 are not unpatentable over Forssell et al. ("Forssell") in view of Rosier, because Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

Forssell and Applicant's invention, are, and were, at the time of Applicant's invention, owned or subject to an obligation of common ownership or assignment to the same entity. Thus, pursuant to 35 U.S.C. §103(c), Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

6. Claim 2 is not unpatentable over Forssell and Rosier and further in view of Ahlstrand et al. ("Ahlstrand") (US 2002/0025812) under 35 U.S.C. §103(a). As noted previously, Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

7. Claim 15 is not unpatentable over Forssell and Rosier and further in view of Pecen et al. ("Pecen") (U.S. Patent No. 6,529,525) under 35 U.S.C. §103(a). As noted previously, Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

8. Claim 6 is not unpatentable over Forssell and Rosier and further in view of Oksala et al. ("Oksala") (U.S. Patent No. 6,694,135) under 35 U.S.C. §103(a). As noted previously, Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

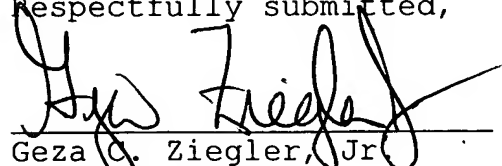
9. Claim 12 is not unpatentable over Forssell and Rosier and further in view of Chang et al. ("Chang") (U.S. Publication No. 2001/0040883) under 35 U.S.C. §103(a). As noted previously, Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

10. Claim 16 is not unpatentable over Forssell and Rosier and further in view of Lintulampi et al. ("Lintulampi") (U.S. Patent No. 6,747,962 under 35 U.S.C. §103(a). As noted previously, Forssell does not qualify as prior art for purposes of 35 U.S.C. §103(a).

For all of the foregoing reasons, it is respectfully submitted that all of the claims now present in the application are clearly novel and patentable over the prior art of record, and are in proper form for allowance. Accordingly, favorable reconsideration and allowance is respectfully requested. Should any unresolved issues remain, the Examiner is invited to call Applicants' attorney at the telephone number indicated below.

A check in the amount of \$110 is enclosed for a one-month extension of time. The Commissioner is hereby authorized to charge payment for any fees associated with this communication or credit any over payment to Deposit Account No. 16-1350.

Respectfully submitted,


Geza C. Ziegler, Jr.
Reg. No. 44,004

12 November 2004
Date

Perman & Green, LLP
425 Post Road
Fairfield, CT 06824
(203) 259-1800 Ext. 134
Customer No.: 2512